

2015 Regular Session

HOUSE BILL NO. 83

BY REPRESENTATIVE JEFFERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SNAP/FOOD STAMPS: Provides for continuance of nutrition assistance for certain retirees

1 AN ACT

2 To enact Subpart E-5 of Part II of Chapter 3 of Title 46 of the Louisiana Revised Statutes
3 of 1950, to be comprised of R.S. 46:331 through 333, relative to nutrition assistance;
4 to provide for continuance of nutrition assistance for certain retirees; to provide for
5 duties of the Department of Children and Family Services; to authorize sources of
6 funding for special nutrition assistance benefits; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Subpart E-5 of Part II of Chapter 3 of Title 46 of the Louisiana Revised
9 Statutes of 1950, to be comprised of R.S. 46:331 through 333, is hereby enacted to read as
10 follows:

11 SUBPART E-5. SPECIAL PROGRAM FOR RETIREE NUTRITION ASSISTANCE

12 §331. Legislative findings; purpose

13 A. The legislature hereby finds and declares the following:

14 (1) A phenomenon known as a "cliff" is an unfortunate feature of many
15 assistance programs and occurs when a gain in income results in a loss of assistance
16 in an amount greater than the income gain, and more than offsets the benefit that a
17 person derives from earning a higher income. This perverse incentive whereby
18 earning a higher income has the effect of penalizing the earner is harmful to
19 financially vulnerable individuals and families.

20 (2) A particularly onerous "cliff" occurs in the Supplemental Nutrition
21 Assistance Program (SNAP) of this state when a senior citizen receives a cost-of-

1 living increase in his retirement income that, in turn, causes him to lose SNAP
2 benefits in an amount greater than his cost-of-living increase or to lose eligibility for
3 SNAP benefits entirely.

4 B. The legislature hereby declares that the purpose of this Subpart is to
5 provide for continuance of nutrition assistance for retirees who experience a loss in
6 support pursuant to a reduction in SNAP benefits caused by a nonelective cost-of-
7 living adjustment from the Social Security Administration, a public pension
8 program, or any other system, plan, or fund from which those persons may receive
9 retirement income.

10 §332. Definitions

11 As used in this Subpart, the following terms have the meaning ascribed to
12 them in this Section:

13 (1) "Department" means the Department of Children and Family Services.

14 (2) "FNS" means the Food and Nutrition Service of the United States
15 Department of Agriculture, the office of the federal government that administers the
16 Supplemental Nutrition Assistance Program.

17 (3) "SNAP" means the Supplemental Nutrition Assistance Program
18 administered at the federal level by the Food and Nutrition Service of the United
19 States Department of Agriculture and at the state level by the Louisiana Department
20 of Children and Family Services.

21 §333. Nutrition assistance for certain retirees; duties of the Department of Children
22 and Family Services

23 A. The secretary of the department is hereby directed to take all such actions
24 as are necessary including, without limitation, submission of any SNAP state plan
25 amendments to FNS and promulgation of rules in accordance with the
26 Administrative Procedure Act, to establish a program for maintaining or continuing
27 nutrition assistance to retirees who are eighty years of age or older and experience
28 a decrease in SNAP benefits or a termination of SNAP eligibility due to having
29 received a nonelective cost-of-living adjustment from the Social Security

1 Administration's retirement benefits program, a public pension program, or any other
 2 system, plan, or fund from which the retiree derives retirement income.

3 B. The source of monies for the program of continuing nutrition assistance
 4 for retirees aged eighty and older established by this Subpart may include but shall
 5 not be limited to any appropriation of state or federal funds by the legislature,
 6 including federal funds from FNS, the Administration for Children and Families of
 7 the Department of Health and Human Services, or from any other federal source.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 83 Original

2015 Regular Session

Jefferson

Abstract: Provides for continuance of nutrition assistance for retirees who are at least 80 years of age and whose SNAP benefits are reduced or eliminated due to income gained from a cost-of-living adjustment in retirement income.

Proposed law provides the following legislative findings:

- (1) A phenomenon known as a "cliff" is an unfortunate feature of many assistance programs and occurs when a gain in income results in a loss of assistance in an amount greater than the income gain, and more than offsets the benefit that a person derives from earning a higher income. This perverse incentive whereby earning a higher income has the effect of penalizing the earner is harmful to financially vulnerable individuals and families.
- (2) A particularly onerous "cliff" occurs in the Supplemental Nutrition Assistance Program (SNAP) of this state when a senior citizen receives a cost-of-living increase in his retirement income that, in turn, causes him to lose SNAP benefits in an amount greater than his cost-of-living increase or to lose eligibility for SNAP benefits entirely.

Proposed law requires the Dept. of Children and Family Services to establish a program for maintaining or continuing nutrition assistance to retirees who are 80 years of age or older and experience a decrease in SNAP benefits or a termination of SNAP eligibility due to having received a nonelective cost-of-living adjustment from the Social Security Administration's retirement benefits program, a public pension program, or any other retirement system, plan, or fund.

Proposed law provides that the source of monies for the program established by proposed law may include but shall not be limited to any appropriation by the legislature of state funds or federal funds from any source.

(Adds R.S. 46:331-333)